

10.10.2023
PB, 22.

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 833 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with New Jalpaiguri P.S. Case No.36 of 2023 dated 16.01.2023 under Sections 341/325/307/379/34 of the Indian Penal Code.

And

In the matter of: Sanjay Das @ Sanju Das & Anr.

.... petitioners

Mr. Sudip Guha.

.....for the petitioners.

Mr. Abhijit Sarkar,
Ms. Sukanya Adhikary.

.....for the State.

Heard learned advocates appearing for the parties.

This is an application for anticipatory bail. The alleged incident occurred on 15th January, 2023. The nature of injury is not very significant and more than nine months have been passed from the date of occurrence and the police authority could not justify their inaction to apprehend the accused petitioner and it is not the case of the prosecution about absconding of the accused petitioner. Considering the facts and circumstances of the case, we are of the view that custodial interrogation of the petitioner is not required.

In the event of arrest, the petitioner may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only)

with two sureties of like amount to the satisfaction of the learned CJM, Jalpaiguri and also on condition that petitioner shall meet the investigation officer once in a month until further order of this Court.

With this observation and direction, the application being CRM(A) 833 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)